

# United States District Court

Southern

DISTRICT OF New York

Advanced Global Technology, LLC

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

XM Satellite Radio, Inc.

07 CV 3654

JUDGE RAKOFF

TO: (Name and address of defendant)

XM Satellite Radio Inc.  
1500 Eckington Place NE  
Washington, DC 20002  
(Serve)

Registered Agent  
XM Satellite Radio Inc.  
Corporation Service Company  
80 State Street  
Albany, NY 12207  
(Mail)

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Molly S. Boast  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, NY 10022

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

MAY 08 2007

DATE

(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
ADVANCED GLOBAL TECHNOLOGY,  
LLC,

Plaintiff,

v.

XM SATELLITE RADIO, INC.,

Defendant.  
----- x

07 Civ 3654 (JSR)

**AFFIDAVIT OF SERVICE**

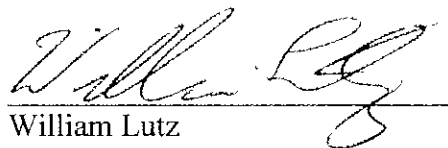
STATE OF NEW YORK     )  
                                  ss.:

COUNTY OF NEW YORK )

William Lutz, being duly sworn, deposes and says that I am not a party to the action, am over eighteen (18) years of age, and I reside in Brooklyn, New York.

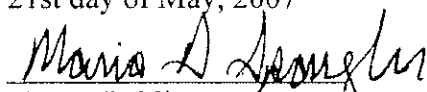
That on May 9, 2007, at 4:15 P.M. at the F. D. Roosevelt United States Post Office at 909 Third Avenue, New York, New York 10022, I served the within Summons in a Civil Case, Complaint, Rule 7.1 Disclosure Statement, Judge's Individual Rules and Procedures, SDNY Procedures for Electronic Case Filing, and 3rd Amended Instructions for Filing an Electronic Case or Appeal upon Defendant XM Satellite Radio, Inc. by depositing copies in an envelope via certified mail, return receipt requested, addressed to XM Satellite Radio, Inc. c/o Corporation Service Company, 80 State Street, Albany, New York 12207.

A copy of the return receipt is attached.

  
William Lutz

License No. 1248788

Sworn to before me this  
21st day of May, 2007

  
Notary Public

MARIA D. SPANGLER  
Notary Public, State of New York  
No. 01SP8145233  
Qualified in Kings County  
Certificate Filed in New York County  
Commission Expires May 1, 2010

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p><b>X</b></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p>
<p>1. Article Addressed to:</p> <p>XM Satellite Radio, Inc. c/o Corporation Service Co. 80 State St. Albany, N.Y. 12207</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p><b>FILED</b> <b>MAY 11 2007</b></p> <p>3. Service type <span style="float: right;"><b>CSC</b></span></p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number</p> <p>(Transfer from service label) [REDACTED]</p>	

PS Form 3811, February 2004

Domestic Return Receipt

102596-02-M-1540